



SEALED

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FILED.

DATED: 4:38 pm, March 16, 2023

U.S. MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADRIEN TYRIE MACKLIN-HICKS,
aka "Drae,"

Defendant.

Case No. 2:23-mj-00219-DJA

Application to Seal

(Under Seal)

The United States of America, by and through Jason M. Frierson, United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, respectfully move this Honorable Court for an Order sealing the Complaint, Probable Cause Affidavit, Arrest Warrant, AO257, this Application, and the Court's Sealing Order, in the above-captioned matter, until such time as this Honorable Court, or another Court of competent jurisdiction, shall order otherwise.

Pursuant to LR IA 10-5, the Government requests that the accompanying Complaint in this case be filed under seal. *See generally*, Fed. R. Crim. P. 6(e)(4) (permitting for the sealing of an indictment); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982) (supporting the sealing of a search warrant when there is reasonable cause to believe that providing immediate

notification may have adverse results); *Matter of Sealed Affidavit(s) to Search Warrants*, 600 F.2d 1256 (9th Cir. 1979) (same); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975) (same). In this case, such an order would be appropriate because the Complaint and Affidavit relate to an ongoing criminal investigation into violations of 18 U.S.C. § 922(a)(1)(A), *Dealing, Importing, or Manufacturing a Firearm Without a License*, 18 U.S.C. § 933(a), *Trafficking in Firearms*, and 18 U.S.C. § 922(g)(1), *Felon in Possession of a Firearm*, that is not public and its disclosure may alert the target to the ongoing investigation and pending arrest warrant.

Public disclosure of the information in the Complaint might possibly jeopardize the investigation because Defendant Adrien Tyrie Macklin-Hicks is not yet in custody. Macklin-Hicks is unaware federal charges are being sought against him. If he were to learn of the charges via an unsealed Complaint, he may take evasive measures or destroy potential evidence, or both. Defendant Macklin-Hicks' knowledge that an arrest warrant has been issued against him may also increase risks to law enforcement in apprehending him. Accordingly, there is reason to believe that disclosure of the information will jeopardize the investigation, including by giving him an opportunity to flee, destroy or tamper with evidence, change patterns of behavior, or notify confederates.

DATED this 16th day of March, 2023.

Respectfully submitted,

JASON M. FRIERSON
United States Attorney

Bianca R. Pucci

BIANCA PUCCI
Assistant United States Attorney

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aka "Drae,"

Defendant.

Case No. 2:23-mj-00219-DJA

ORDER TO SEAL

(Under Seal)

Based on the pending Application of the Government, and good cause appearing therefore, **IT IS HEREBY ORDERED** that the Complaint, the Probable Cause Affidavit, Arrest Warrant, AO257, the Government's Application, and this Court's Sealing Order, in the above-captioned matter shall be sealed until further Order of the Court.

DATED this 16th day of March, 2023.



A handwritten signature in blue ink, appearing to read "Daniel J. Albregts", written over a horizontal line.

HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE